

### Remarks

In paragraph 1 of the Office Action claim 45 has been objected to because of a spelling error in line 5. Claim 45 has been amended to correct this error, so the objection may now be withdrawn.

Claim 13 has been amended herein to correct spelling errors just discovered.

In paragraph 4 of the Office Action claims 6-10, 15 and 16 have objected to as being dependent upon a rejected base claim, but the Examiner has indicated these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, objected-to claim 6 has been cancelled and resubmitted in independent form as new claim 46, and claims 7-9 have been amended to depend from new claim 46. Also, objected-to claim 15 has been cancelled and resubmitted in independent form as new claim 47, and claim 16 has been amended to depend from new claim 47. Therefore, it is respectfully submitted the objections to these claims have been overcome.

In paragraph 3 of the Office Action, the Examiner has rejected claim 45 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,944,477 to Shill. Applicant respectfully traverses this rejection for the following reasons.

The apparatus of Shill does not have a shuttle vise movably disposed on a conveyor. Legs 29 and 30 of Shill clearly support the apparatus on the ground. Therefore, these legs cannot be part of a shuttle vise that moves along the length of the conveyor as in the claimed invention. For this reason alone, Shill is an insufficient reference under 35 U.S.C. §102(b).

Further, side plates 40 and 42 do not clamp in the same sense as the jaws of the vise in the present invention, and these side plates are not used to move the bundles along the conveyor. This, too, makes Shill an insufficient reference to reject the claim.

In addition, member 35 in Shill is a cross member that supports a bundle end stop that is moved vertically by a stop actuator. The side plates are not mounted to this portion of the apparatus, and thus, cross member 35 does not act as an upper guide rail on which vise jaws are movably disposed. Any clamping forces generated by side plates 40 and 42 are transmitted to leg members 29 and 30. Not only is this what the present invention is designed *not* to do, but because stop adjustment assemblies 34 in Shill provide no reaction force in an opposite direction to any forces generated by the side plates, the stop adjustment assemblies are clearly not the same as the reaction system in the claimed invention.

Thus, Shill fails to disclose several claimed features of the present invention, and it is therefore respectfully submitted that claim 45 should be allowed.

#### **Summary**

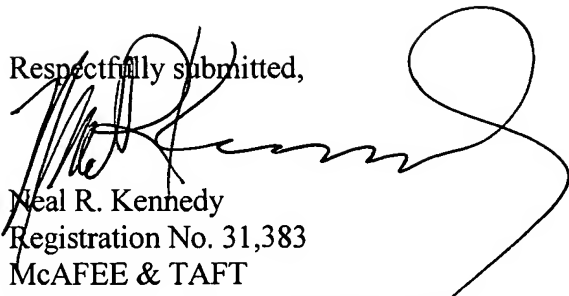
Claims 13 and 45 have been amended to correct spelling errors.

Claims 12-14, 32, 34 and 38-44 have been allowed.

Claims 6 and 15 have been cancelled and resubmitted as new claims 46 and 47. Claims 7-9 and 16 have been correspondingly amended. Therefore, claims 7-10, 16, 46 and 47 should be in condition for allowance.

In view of the arguments presented, it is also respectfully submitted that claim 45 should be allowable over the prior art of record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Neal R. Kennedy', with a large, stylized loop at the end.

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